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UM Regents Oppose GSRA Senate Bill

BY CHRONICLE STAFF

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At a special meeting convened at 8 a.m. on Feb. 21, University of Michigan regents voted 6-2 to formally oppose Senate Bill 971, which would make explicit that graduate student research assistants (GSRAs) are not entitled to collective bargaining rights under Michigan's Act 336 of 1947.

Opposing the resolution were the board's two Republican regents, Andrea Fischer Newman and Andrew Richner. The meeting was held via conference call. None of the regents – nor UM president Mary Sue Coleman, who chaired the proceedings – were physically in the boardroom at the Fleming administration building, though several staff and members of the media attended to listen in to the call.

The bill, which was introduced on Feb. 15 by state Senate majority leader Randy Richardville (R-Monroe), states: "An individual serving as a graduate student research assistant or in an equivalent position and any individual whose position does not have sufficient indicia of an employment relationship is *not a public employee entitled to representation or collective bargaining rights under this act.*" A senate hearing on the bill was scheduled for 11 a.m. in Lansing, a few hours after the regents special meeting that same day.

The resolution proposed by regent Larry Deitch stated opposition to the bill, and directed Cynthia Wilbanks, UM vice president for government relations, to take "all available action" and to articulate UM's opposition to legislators and, if necessary, the governor's office. That action could include testimony, the development of position papers, or the hiring of lobbyists. The resolution also stated that Wilbanks should report to the chair of the board or a designee on progress related to the legislation.

The legislation has been introduced in response to an effort to unionize GSRAs at the university. The UM board of regents passed a resolution on May 19, 2011 supporting the right of GSRAs to determine whether to organize. The resolution passed over the objection of Coleman and with dissenting votes from Richner and Newman. At the board's Jan. 19, 2012 meeting and again at the Feb. 16 meeting, faculty members and students have spoken during public commentary, voicing objections to the effort to unionize GSRAs. Meanwhile, hearings have been held before administrative law judge Julia Stern, who'll be making a recommendation in March to the Michigan Employment Relations Commission on whether to grant GSRAs the status of employee.

Much of the regents 30-minute meeting on Feb. 21 was spent in somewhat heated debate about whether the meeting was noticed properly in accordance with the Michigan Open Meetings Act, which requires public notice of a special meeting at least 18 hours before it takes place. The meeting had been called late Monday to consider the need for emergency action as permitted by regents bylaw 1.01, with no indication of the meeting's topic. The bylaw states: "Emergency action may be taken by the board between meetings if and when any matter arises which, in the opinion of the president, or any three members of the board, requires official action by the board prior to the next meeting. An affirmative vote by telephone, email, or facsimile from five members is required for action."

It was not initially clear to several regents who had called the meeting, but eventually was determined that Coleman had sent an email to regents calling the meeting. Sue Scarnecchia, UM's general counsel, was asked by regents to confirm that the meeting was appropriately and legally called. She said it complied to regents bylaw 1.01.

Newman objected to the way in which the meeting was called. She acknowledged that she had been interested in holding a meeting, but wanted it to be given the 18-hour public notice as required by OMA, to include public input. She noted that in her 17 years on the board, this kind of meeting for an emergency action has never been used.